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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,684	11/09/2001	Robin P. Yergenson	10012411-1	9702

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

FOX, CHARLES A

ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,684

Applicant(s)

YERGENSON, ROBIN P.

Examiner

Charles A. Fox

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 & 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 13 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification does not teach a stop on the carousel in any manner, and the drawings do not show a stop as well. Therefore the claimed stop is not enabled and all references to it must be removed from the claim. In the art rejection of claim 13 below the portions of the claim dealing with the stop have been ignored as they are not enabled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 and 8-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Dodd et al. In regards to claims 1 and 13 Dodd et al. US 3,809,263 discloses an object retention system for a carousel having an axis of rotation comprising:

a rotatable carousel(10) having an axis of rotation(42);

a latching hub (24,26) mounted within the rotatable carousel;
at least one object (12) within the carousel, each object having a latch reciprocal (32,34) configured to mate with the latching hub;
at least one retainer (44) adjacent each object configured to maintain contact with between latch reciprocals and the latching hub.

In regards to claims 2 and 14 Dodds et al. further discloses the latching hub (24,26) includes at least one prominence (43) and that each latch reciprocal has a depression formed therein for receiving the at least one prominence of the latching hub.

In regards to claims 3 and 15 Dodd et al. also disclose the flanges (32,34) form a prominence on the ends of the object (12) that fits into a depression on the latching hub formed between prominence (43) and retainer (44). See figure 2A.

In regards to claims 4 and 16 Dodd further shows the retainers (44) are springable.

In regards to claims 5 and 17 Dodd et al. also discloses that the prominence (43) of the rotatable hub (10) are springable to permit insertion and removal of the object.

In regards to claims 6 and 16 Dodd et al. also disclose an embodiment of the carousel (figure 10) where the carousel hub has a portion (170) that is substantially coextensive with each object (12) on the hub.

In regards to claim 8 Dodd et al. disclose a method of securing an object in a rotatable carousel comprising the steps of:

mounting a latching hub within the rotatable carousel about an axis of rotation;
providing a retainer within the carousel;

inserting an object with a latch reciprocal into said carousel;
mating the latch reciprocal with the latching hub;
the retainer maintaining contact between the latch reciprocal and the latching hub.

In regards to claim 9 Dodd et al. further disclose the steps of providing the latching hub with a prominence and the latch reciprocal with a depression for receiving said prominence.

In regards to claim 10 Dodd et al. further disclose that each latch reciprocal forms a prominence that fits into a depression formed on said latching hub.

In regards to claim 11 Dodd et al. also disclose displacing the retainers by the object permitting the latch reciprocals to partially bypass the retainers, wherein the retainers return to lock the latching hub against the latch reciprocal.

In regards to claim 12 Dodd et al. also disclose displacing the latching hub, permitting the latch reciprocal to partially bypass the latching hub, wherein the latching hub returns to lock the object against the latching hub.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodd et al. as applied to claims 1 and 13 above, and further in view of Teranishi. Dodd

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et al. teaches the limitations of claims 1 and 13 as above, they do not teach the object as having latch reciprocals in the center of the object. Teranishi US 4,789,209 teaches a carousel for holding objects wherein the carousel has a latching mechanism (85a) that has a latch reciprocal (18,d,18f) formed in the center between two opposite ends of said object. See figure 13. It would have been obvious to one of ordinary skill in the art, at the time of invention to provide the device taught by Dodd et al. with the latch reciprocals as taught by Teranishi in order to allow the carousel to hold the objects in a registered manner, thereby presenting them in a predetermined orientation on the carousel.


The prior art made of record and not relied upon, but considered pertinent to applicant's disclosure is: Woods 1970, Nix et al. 1973, MacIndoe, Jr. 1994 and Dalziel 1995.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles A. Fox whose telephone number is 703-605-4294. The examiner can normally be reached between 7:00-5:00 Monday, Tuesday, Thursday and Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached at 703-308-3248. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

CAF
9-8-03



EILEEN D. LILLIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600